

UNITED STATES BANKRUPTCY COURT 2nd Amended Form C to G.O. 10-002
FOR THE DISTRICT OF RHODE ISLAND

- - - - -x

In re: Jessica Simarra : BK No. 09-14245
Chapter 13
: Debtor(s)
- - - - -x

LOSS MITIGATION ORDER

☒ A Loss Mitigation Request¹ was filed by the Debtor on December 4, 2009 ~~xxxx~~ 2010.

☐ A Loss Mitigation Request was filed by a creditor on _____, 2010.

☐ The Court raised the possibility of loss mitigation, and the parties have had notice and an opportunity to object.

Accordingly, it is **ORDERED**, that the following parties (collectively, the "Loss Mitigation Parties") are directed to participate in loss mitigation:

1. The Debtor
2. Americas Servicing Co., the Creditor with respect to
12 South Olney Street, Johnston, RI 02919

[describe Loan and/or Property].

3. _____

[Additional parties, if any.]

¹ All capitalized terms have the meanings defined in the section on Loss Mitigation Procedures.

It is further **ORDERED**, that the Loss Mitigation Parties shall comply with the Loss Mitigation Procedures adopted by this Court; and it is further

ORDERED, that the Loss Mitigation Parties shall observe the following deadlines:

1. Each Loss Mitigation Party shall designate contact persons and disclose contact information within 7 days of the date of this Order, unless this information has been previously provided. As part of this obligation, **a creditor shall furnish each Loss Mitigation Party with written notice of the name, address, and direct telephone number of the person who has full settlement authority, and shall file such Loss Mitigation Contact Information with the Court.**
2. Each Creditor that is a Loss Mitigation Party shall contact the Debtor's Attorney, or Debtor, if pro se, within **fourteen (14) days of the date of this Order.**
3. Each Loss Mitigation Party must make its information request, if any, within **fourteen (14) days of the date of this Order.**
4. Each Loss Mitigation Party shall respond to an information request within **fourteen (14) days after such request is made, or seven (7) days prior to the Loss Mitigation Session, whichever is earlier.**
5. The Loss Mitigation Session shall be conducted not later than 45 days from the date of the Order.
6. A Loss Mitigation status report shall be filed with the Court **within 60 days of the date of this order.** If additional time is required to complete the loss mitigation process, the parties shall include a request for additional time within said status report.
7. The Loss Mitigation Parties may agree to an extension of the loss mitigation period, **not to exceed 60 days**, by filing a request for extension in writing on the docket in the main bankruptcy case and served on all parties in interest. Any objection to such request for additional time shall be filed **within three (3) days.**

8. The loss mitigation period shall terminate 90 days from the date of the Order unless extended as provided in the Loss Mitigation Procedures.

It is further **ORDERED**, that any other pending matters between the Loss Mitigation Parties are hereby continued to a date after the last day of the loss mitigation period, to the extent those matters concern (1) relief from the automatic stay, (2) objection to the allowance of a proof of claim, (3) reduction, reclassification or avoidance of a lien, (4) valuation of a Loan or Property, or (5) objection to confirmation of a plan of reorganization; and it is further

ORDERED, that the time for each Loss Mitigation Creditor to file an objection to a plan of reorganization in this case shall be governed by Local Rules 3015-2(c)(3) and/or 3015-3(b)(2) as applicable, calculated from the rescheduled confirmation date.

Entered as an Order of this Court.

Dated at Providence, Rhode Island, this 14th day of April 2010.



Arthur N. Votolato
U.S. Bankruptcy Judge

Entered on docket: 4/14/2010

Rev. 04/01/10